

and Social Security. In particular, Members and their staffs came to depend on Kathy's thorough knowledge of the Social Security Program as they developed proposals for addressing the program's financial status and benefit structure. She also made major contributions to CBO's reports on the economic and budget outlook and the re-estimates of the President's budget. Her analyses always displayed those characteristics of CBO's reports that we in the Congress most value—impartiality, clarity, and comprehensiveness. In fact, Kathy was a principal architect of the formats of many tables on which the Budget Committee has come to rely so heavily.

The Congress will feel the loss of a dedicated public servant who selflessly worked extraordinary hours in helping us advance the legislative process. We will miss Kathy's expertise and counsel.

I know that I speak for all of the Members who have served on the Budget Committees of the House and Senate during the past 25 years and all of our staff when I express our gratitude to Kathy for all of her contributions to the legislative process.●

MESSAGES FROM THE HOUSE

At 9:48 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House having proceeded to reconsider the bill (H.R. 810) to amend the Public Health Service Act to provide for human embryonic stem cell research, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED BILL SIGNED

The President pro tempore (Mr. STEVENS) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5117. An act to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students.

At 12:23 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2389. An act to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

H.R. 5683. An act to preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3711. A bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7585. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the date on which a report on the budgeting of the Department of Defense for the sustainment of key military equipment will be submitted; to the Committee on Armed Services.

EC-7586. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, (3) reports relative to vacancy announcements within the Department, received on July 17, 2006; to the Committee on Armed Services.

EC-7587. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 2006-2007 Marketing Year" (Docket No. FV06-985-2 IFR) received on July 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7588. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus Thuringiensis CryIA.105 Protein and the Genetic Material Necessary for Its Production in Corn in or on All Corn Commodities; Temporary Exemption From the Requirement of a Tolerance" (FRL No. 8076-5) received on June 13, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7589. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, the Bank's 2005 Statement on System of Internal Controls, audited financial statements, and Report of Independent Auditors on Internal Control over Financial Reporting; to the Committee on Banking, Housing, and Urban Affairs.

EC-7590. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's 92nd Annual Report, which covers the Board's operations for calendar year 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-7591. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-7592. A communication from the Director, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report that funding for the Commonwealth of Massachusetts as a result of the influx of evacuees from

areas struck by Hurricane Katrina beginning on August 29, 2005, and continuing, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-7593. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Debt Interest Payment Charges" ((RIN2502-AI41)(FR-4945-F-01)) received on July 17, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-7594. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project"; to the Committee on Energy and Natural Resources.

EC-7595. A communication from the Director, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations and Leasing in the Outer Continental Shelf (OCS)—Recovery of Costs Related to the Regulation of Oil and Gas Activities on the OCS" (RIN1010-AD23) received on July 18, 2006; to the Committee on Energy and Natural Resources.

EC-7596. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06-155-06-169); to the Committee on Foreign Relations.

EC-7597. A communication from the Department of State, transmitting, pursuant to law, a report relative to the Development Assistance and Child Survival and Health Programs Fund; to the Committee on Foreign Relations.

EC-7598. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Section 589 of the Foreign Operations, Export Financing, and Related Programs Act, 2006 ("the Act") in regards to permitting the continued use of funds appropriated by the Act for assistance to the Government of the Russian Federation; to the Committee on Foreign Relations.

EC-7599. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the semi-annual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Finance.

EC-7600. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, a report relative to a program to be initiated in Nepal by the U.S. Agency for International Development's Office of Transition Initiatives (OTI); to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-393. A resolution adopted by the House of Representatives of the Legislature of the State of Florida relative to urging Congress to support a National Catastrophe

Insurance Program; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE MEMORIALS NO. 541

Whereas, during the 2004 and 2005 hurricane seasons, the State of Florida was devastated by eight hurricanes and four tropical storms, causing approximately \$35 billion in estimated gross probable insurance losses, and

Whereas, the hurricanes from the 2004 and 2005 hurricane seasons have produced high winds, coastal storm surges, torrential rainfalls, and flooding resulting in significant damage to Florida and the Gulf Coast states, which has resulted in displacement of policyholders from their dwellings, loss of personal belongings and contents, closing of businesses and financial institutions, and temporary loss of employment and has created numerous health and safety issues within our local communities, and

Whereas, in 1992, Hurricane Andrew resulted in approximately \$20.8 billion in insured losses and was previously the costliest catastrophe in the United States, but Hurricane Katrina alone left the Gulf Coast states with an estimated loss of approximately \$35 billion, and

Whereas, natural disasters continually threaten communities across the United States with extreme weather conditions that pose an immediate danger to the lives, property, and security of the residents of those communities, and

Whereas, the insurance industry, state officials, and consumer groups have been striving to develop solutions to insure mega-catastrophic risks, because hurricanes, earthquakes, tornadoes, typhoons, floods, wildfires, ice storms, and other natural catastrophes continue to affect policyholders across the United States, and

Whereas, on November 16 and 17, 2005, insurance commissioners from Florida, California, Illinois, and New York convened a summit to devise a national catastrophe insurance plan which would more effectively spread insurance risks and help mitigate the tremendous financial damage survivors contend with following such catastrophes: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States is urged to support a National Catastrophe Insurance Program. Policyholders require a rational insurance mechanism for responding to the economic losses resulting from catastrophic events. The risk of catastrophes must be addressed through a public-private partnership involving individuals, private industry, local and state governments, and the Federal Government. A national catastrophe insurance program is necessary to promote personal responsibility among policyholders; support strong building codes, development plans, and other mitigation tools; maximize the risk-bearing capacity of the private markets; and provide quantifiable risk management through the Federal Government. The program should encompass:

(1) Providing consumers with a private market residential insurance program that provides all-perils protection.

(2) Promoting personal responsibility through mitigation; promoting the retrofitting of existing housing stock; and providing individuals with the ability to manage their own disaster savings accounts that, similar to health savings accounts, accumulate on a tax-advantaged basis for the purpose of paying for mitigation enhancements and catastrophic losses.

(3) Creating tax-deferred insurance company catastrophe reserves to benefit policyholders. These tax-deferred reserves would build up over time and only be eligible to be used to pay for future catastrophic losses.

(4) Enhancing local and state government's role in establishing and maintaining effective building codes, mitigation education, and land use management; promoting state emergency management, preparedness, and response; and creating state or multistate regional catastrophic risk financing mechanisms such as the Florida Hurricane Catastrophe Fund.

(5) Creating a national catastrophe financing mechanism that would provide a quantifiable level of risk management and financing for mega-catastrophes; maximizing the risk-bearing capacity of the private markets; and allowing for aggregate risk pooling of natural disasters funded through sound risk-based premiums paid in correct proportion by all policyholders in the United States. Be it further

Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

POM-394. A resolution adopted by the Senate of the Legislature of the State of Massachusetts relative to memorializing the Congress of the United States to provide relief from growing energy costs; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, high fuel prices have a negative impact on the standard of living of consumers and high fuel prices have a negative impact on the productivity of businesses; and

Whereas, according to the United States Department of Energy, Massachusetts citizens pay some of the highest energy prices in the Nation, behind only Hawaii and Washington, DC; and

Whereas, as of May 12, 2006, AAA reports the current average price of a gallon of gasoline in Massachusetts to be \$2.93, up from \$2.186 only a year ago; and

Whereas, as of May 2, 2006, the Massachusetts Division of Energy Resources reported the average price of a gallon of heating oil in Massachusetts to be \$2.58, up from \$1.91 and \$1.49 at this time of the year in 2005 and 2004 respectively; and

Whereas, home heating and electricity expenditures for Massachusetts residents are expected to be up by over one third this year (October 2005–October 2006), this being an average increase of \$700 per family or 0.6 percent of personal income; and

Whereas, high fuel prices impose an especially high burden on low-income families and the United States Department of Energy found that the average American spends 3.5 percent of their income on energy bills, but low-income households average 14 percent of their income; and

Whereas, the President's 2006 budget included cuts of some \$9.7 million over the next 4 years to the low-income home energy assistance program, which benefits many Massachusetts seniors; and

Whereas, according to a 2005 National Consumer Law Report, as a result of 3 of the past 4 years having unprecedented heating oil and natural gas prices, Massachusetts' residential consumers have higher averages than they have ever faced and community action agencies are reporting more aggressive collection activities from some utilities as well as encountering greater difficulty negotiating payment plans for low-income customers; and

Whereas, poor road conditions exacerbate the impact of high fuel costs by reducing fuel economy; and

Whereas, according to a 2005 United States Department of Transportation report of road

conditions reported in 2004, only 1,659 miles of Massachusetts' roads were classified as good to very good compared with 3,748 miles of roads classified as mediocre to poor; and

Whereas, a report by the American Society of Civil Engineers found that 71 percent of Massachusetts' major roads are in poor or mediocre condition and driving on roads in need of repair costs Massachusetts' motorists \$2,300,000,000, or \$501 per motorist, annually in extra vehicle repairs and operating costs; and

Whereas, this same report found that 51 percent of Massachusetts' bridges are structurally deficient or functionally obsolete; and

Whereas, oil companies have reported record quarterly profits for the first quarter of 2006: Now therefore be it

Resolved, that the Massachusetts Senate memorializes the Congress and the President of the United States to immediately institute a windfall profits tax on energy companies which have benefited from the current circumstances, the proceeds of which shall be distributed to the States for the purpose of providing relief to motorists, homeowners and businesses through policies and programs that provide direct subsidy to low and moderate income consumers and small businesses, and some of the proceeds may also be used for road and bridge work and programs which promote the development and use of alternative energy and fuels; and be it further

Resolved, that a copy of these resolutions shall be transmitted forthwith by the Clerk of the Senate to the President of the United States, presiding Members of each House of the Congress of the United States, and the Members thereof from the Commonwealth.

POM-395. A resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to appropriating sufficient funds for the recovery of the shrimp industry and voting against the repeal of the "Byrd Amendment"; to the Committee on Finance.

HOUSE RESOLUTION NO. 117

Whereas, Louisiana is the nation's largest producer of wild-caught shrimp and has the nation's only warm water shrimp cannery; and

Whereas, before Hurricanes Katrina and Rita, Louisiana generated an estimated one hundred twenty million pounds of wild-caught shrimp and sold approximately nine thousand commercial shrimp gear licenses; and

Whereas, Louisiana shrimpers constitute the largest community of shrimpers in the Atlantic and Gulf of Mexico regions; and

Whereas, due to Hurricanes Katrina and Rita, the shrimp industry suffered devastating economic and infrastructure losses; and

Whereas, due to the hurricanes, assessments estimate that for the shrimp industry the total potential production lost at the retail level is approximately nine hundred nineteen million dollars; and

Whereas, the influx of foreign shrimp sold at below market prices causes domestic prices to drop to levels at which domestic producers are unable to survive in the industry; and

Whereas, the United States House Committee on Ways and Means recommended a repeal of the provision of the Continued Dumping and Subsidy Offset Act commonly known as the "Byrd Amendment"; and

Whereas, the "Byrd Amendment" required duties to be collected under antidumping and countervailing duty orders and required payment to eligible domestic producers who initiated the petition which resulted in the imposition of the duties; and

Whereas, Louisiana was one of the original states to initiate a petition against foreign shrimp producers; and

Whereas, taking into consideration the potential repeal of the "Byrd Amendment" and the effects of Hurricanes Katrina and Rita, the shrimp industry and the state of Louisiana stand to suffer severe financial losses: Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana memorializes the Congress of the United States to appropriate sufficient funds for the recovery of the shrimp industry. Be it further

Resolved, That the House of Representatives of the Legislature of Louisiana memorializes the Congress of the United States to vote against the repeal of the "Byrd Amendment". Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-396. A joint resolution adopted by the Legislature of the State of Utah relative to supporting the Working Families Economic Development Initiative; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 23

Whereas, insufficient income contributes to many of the social and human service needs in our state;

Whereas, the Federal Earned Income Tax Credit (EITC) provides tax relief and income support to low-income working families;

Whereas, the EITC lifts millions of individuals out of poverty each year in the United States by supporting work and self-sufficiency while reducing the need for public assistance;

Whereas, each year, the EITC helps approximately 130,000 households in Utah and brings more than \$220,000,000 into Utah's economy;

Whereas, increasing Utah's utilization of the EITC to the national average would help approximately 40,000 eligible households and bring an additional \$80,000,000 into Utah's economy;

Whereas, an increase of \$80,000,000 each year in EITC benefits would generate over \$300,000,000 per year in state and local economic activity;

Whereas, 211 INFO BANK, a community services and referral system, provides callers with tax credit help, including eligibility rules, and directs workers to nearby VITA sites for needed tax forms and assistance; and

Whereas, increasing EITC utilization represents a highly cost-effective economic development strategy: Now, therefore, be it

Resolved, That the Legislature of the State of Utah encourages departments of Utah State Government to identify and utilize existing and potential public/private partnerships to inform citizens about the availability of the Federal Earned Income Tax Credit and Volunteer Income Tax Assistance programs. Be it further

Resolved, That the Legislature of the state of Utah encourages each state entity to work in partnership with private outreach campaigns to identify and utilize existing communications mechanisms to inform Utahns about the availability of the EITC and VITA programs, which may include state publications, websites, human resource materials and communications, correspondence and forms from the State Tax Commission, targeted printed materials, caseworker and client interactions, and application materials for state assistance and state licenses. Be it further

Resolved, That the Legislature of the state of Utah encourages each state entity to utilize existing state infrastructure, where appropriate, to support EITC outreach and statewide availability of the VITA program, which may include utilizing Department of Workforce Services Employment Centers and other appropriate locations as VITA sites, staffed by trained VITA volunteers, between January and April, encouraging local school districts to integrate EITC outreach and VITA services into their parent involvement and community school efforts, and utilizing economic development tools and negotiations to encourage and support EITC outreach and employment-based VITA sites where appropriate. Be it further

Resolved, That copies of this resolution be sent to each department of Utah State Government.

POM-397. A concurrent resolution adopted by the Legislature of the State of Utah relative to promoting Utah's Legislators Back to School Program; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 2

Whereas, civic education is a vital tool to promote greater understanding of the legislative process and the role of legislators in representative democracy and to build public trust and confidence;

Whereas, Utah legislators acknowledge the Constitution of the United States, the supreme law of the land, which establishes a democratic form of government and provides the principle for self government, government by the people;

Whereas, Benjamin Rush, a signer of the Declaration of Independence stated, "There is but one method of rendering a republican form of government . . . by disseminating the seeds of virtue and knowledge through every part of the state by means of proper places and modes of education . . . and this can be done effectively only by the aid of the legislature";

Whereas, Utah legislators, students, teachers, and administrators realize the importance of compromise in reconciling competing interests in a diverse society;

Whereas, the National Conference of State Legislatures (NCSL) established America's Legislators Back to School Program, a bipartisan program for legislators across the nation to impart greater understanding of the necessity for debate, negotiation, and compromise in the legislative process of developing effective public policy, and to engage future voters and leaders in a dialogue about the value of representative democracy and to adapt to each individual state;

Whereas, this civic education program helps to instill the values of representative democracy, strengthen the democratic process, and encourage students to play a responsible role in their government; and

Whereas, Utah legislators have ranked in the top 3% of the nation for participation in this program since 2002: Now, therefore, be it

Resolved, That the Legislature and the Governor recognize Utah's Legislators Back to School Program and urge each member of the Legislature to visit students in classrooms during the school year; and be it further

Resolved, That a copy of this resolution be sent to the State Board of Education and the executive director of the National Conference of State Legislatures.

POM-398. A concurrent resolution adopted by the Legislature of the State of Utah relative to the harmful effects of tobacco, alcohol, and drugs on youth; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 3

Whereas, 90% of tobacco users start before they reach the legal age of 19;

Whereas, 74% of adults reported that they had started using alcohol before the legal drinking age of 21;

Whereas, the average age of beginning tobacco users is 11-12 years old;

Whereas, the average age of first time alcohol users is 12 years old;

Whereas, 1,000 youth try their first cigarette each day;

Whereas, motor vehicle crashes are the leading cause of death for 15- 20-year-olds and alcohol is involved in more than half of these fatalities;

Whereas, approximately 52% of surveyed youth ages 12 to 17 who were daily cigarette smokers and 66% of youth who were heavy drinkers also used illicit drugs in the month prior to being surveyed;

Whereas, these harmful substances negatively effect every aspect of a youth's life as well as the lives of those around them;

Whereas, once youth have started using tobacco, alcohol, or illicit drugs it is very difficult for them to stop;

Whereas, these substances cut short the lives and future of many youth by causing death and disease;

Whereas, tremendous strides have been made in reducing tobacco, alcohol, and illicit drug use among youth;

Whereas, there is still more that needs to be done to address this continuing challenge;

Whereas, for every dollar spent on prevention programs, America saves seven dollars in the cost of public aid, special education, and treatment services;

Whereas, youth are a resource and a catalyst for change in the lives of youth and have proven to be a critical first line of defense in building resiliency among their peers;

Whereas, the Weber-Morgan Governing Youth Council and other youth groups are working hard to promote positive lifestyles and combat the negative effects of tobacco, alcohol, and illicit drugs on the lives of youth in Utah; and

Whereas, the fight against the use of tobacco, alcohol, and illicit drugs must continue, and become even more successful, if youth are to be spared the self-destructive effects of these harmful substances: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, strongly urge educators in Utah's public education system to utilize Prevention Dimensions, the state Safe and Drug Free School curriculum to educate the state's youth concerning substance abuse. Be it further

Resolved, That the Legislature and the Governor strongly urge the citizens of Utah to increase awareness of the destructive effects of tobacco, alcohol, and illicit drugs on Utah's youth. Be it further

Resolved, That the Legislature and the Governor recognize local youth councils and other youth groups for their invaluable efforts in helping to keep their peers from getting caught in the trap of tobacco, alcohol, and illicit drug use, and helping those caught in the grip of these harmful substances. Be it further

Resolved, That a copy of this resolution be sent to each of the state's school districts.

POM-399. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts relative to apologizing to all Native American peoples on behalf of the United States; to the Committee on Indian Affairs.

SENATE JOINT RESOLUTION NO. 15

Whereas, throughout history, the Commonwealth of Massachusetts has been instrumental in the struggle to establish democracy and secure the rights and liberties of Americans; and

Whereas, the declaration of rights of the Commonwealth of Massachusetts was the first enumeration of civil rights and liberties by Americans, which served as a model for the United States Constitution and Bill of Rights; and

Whereas, the Commonwealth of Massachusetts has a rich native American history with indigenous tribes such as Massachusetts from Suffolk county, the Nipmuc from central Massachusetts, the Stockbridge from Berkshire county and the Wampanoag from Cape Cod and the islands; and

Whereas, the Commonwealth of Massachusetts acknowledges the long history of official depredations and ill-conceived policies by the United States government regarding native American tribes and believes that the Congress of the United States should offer an apology to all native peoples on behalf of the United States; and

Whereas, the ancestors of today's native peoples have inhabited the land of the present day United States since time immemorial and for thousands of years before the arrival of peoples of European origin; and

Whereas, the native peoples have for millennia honored, protected and stewarded this land that we cherish; and

Whereas, the United States government has violated many of the treaties ratified by Congress and other diplomatic agreements with native American tribes; and

Whereas, despite continuing maltreatment of native peoples by the United States, the native peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more native people have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group; and

Whereas, native peoples are endowed by their creator with certain unalienable rights, and that among those are life, liberty, and the pursuit of happiness; Now, therefore, be it

Resolved, That the Massachusetts Senate hereby urges the Senate and House of Representatives of the United States to pass, pending Senate Joint Resolution 15, apologizing to all native American peoples on behalf of the United States of America; and be it further

Resolved, That a copy of these resolutions be forwarded by the clerk of the Senate to the clerks of the Senate and House of Representatives of the United States.

POM-400. A concurrent resolution adopted by the Legislature of the State of Kansas relative to extending certain provisions of the Voting Rights Act of 1965; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 5037

Whereas, on March 7, 1965, a group of civil rights marchers gathered at the Edmund Pettus bridge in Selma, Alabama, and their efforts to advance equal voting rights brought a brutal and bloody response. Eight days later President Johnson called for a comprehensive and effective voting rights bill to guarantee to our citizens the rights contained in the 14th and 15th amendments to the United States constitution. A bipartisan congress approved landmark legislation, and on August 6, 1965, President Johnson signed the Voting Rights Act into law; and

Whereas, considered one of the most successful pieces of civil rights legislation ever adopted, the act bans literacy tests and poll taxes, outlaws intimidation during the electoral process, authorizes federal election monitors and observers and creates various means for protecting and enforcing racial

and language minority voting rights. The act was amended in 1975 to facilitate equal political opportunity for language minority citizens and in 1982 to protect the rights of voters with disabilities; and

Whereas, despite noteworthy progress from 40 years of enforcement of the act, voter inequities, disparities and obstacles still remain for many minority voters; and

Whereas, Section 5 of the act is scheduled to expire in 2007. This section contains a special enforcement provision targeted at those areas of the country where congress believes the potential for discrimination to be high and prohibits any change affecting voters until the attorney general has determined that the change will not worsen the ability of minority voters to vote. Sections 4(f) and 203 will also expire in 2007. These sections require bilingual voting assistance for language minority communities in certain jurisdictions. The language minority provisions apply to four language minority groups: American Indians, Asian Americans, Alaskan natives and persons of Spanish heritage; and

Whereas, The Voting Rights Act is a critical link in the struggle to enfranchise the politically marginalized. Without reauthorization of these special provisions of the act, America risks a resurgence of voter discrimination: Now, therefore, be it

Resolved, By the House of Representatives of the State of Kansas, the Senate concurring therein, That the Kansas legislature memorializes the Congress of the United States to extend these critical provisions of the Voting Rights Act of 1965; and be it further

Resolved, That the Secretary of State provide an enrolled copy of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Kansas legislative delegation.

POM-401. A joint resolution adopted by the House of Representatives of the Legislature of the State of New Hampshire relative to proposing an amendment to the Constitution concerning eminent domain; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 25

Whereas, the phrase "life, liberty and the pursuit of property" in the Declaration of Independence was changed to "Life, Liberty, and the Pursuit of Happiness" in order to encompass more fully the natural rights doctrine; and

Whereas, President Thomas Jefferson, drafter of The Declaration of "Independence wrote, "We owe every . . . sacrifice to ourselves, to our federal brethren, and to the world at large to pursue with temper and perseverance the great experiment which shall prove that man is capable of living in a society, governing itself by laws self-imposed, and securing to its members the enjoyment of life, liberty, property, and peace; and further to show, that even when the government of its choice shall manifest a tendency to degeneracy, we are not at once to despair but that the will and watchfulness of its sounder parts will reform its aberrations, recall it to its original and legitimate principles, and restrain it within the rightful limits of self-government"; and

Whereas, President James Madison, drafter of the Constitution of the United States of America, and of the First Ten Amendments of the Constitution of the United States of America stated: "Government is instituted to protect property of every sort. . . . This being the end of government . . . that is not a just government, nor is property secure under it, where the property which a man has . . . is violated by arbitrary seizures of one class of citizens for the service of the rest"; Now, therefore, be it

Resolved, by the Senate and House of Representatives in General Court convened, That the general court or New Hampshire encourages the Congress to propose an amendment to the Constitution of the United States stating that real property can only be taken by eminent domain for public use such as the construction of forts, government buildings, and roadways; and be it further

Resolved, That copies of this resolution be sent by the House clerk to the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, and the New Hampshire congressional delegation.

POM-402. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana memorializing the Congress of the United States to adopt an amendment to the Constitution of the United States to define marriage in the United States as the union between one man and one woman; to the Committee on the Judiciary.

Whereas, President Bush recently remarked, After more than two centuries of American jurisprudence, and millennia of human experience, a few judges and local authorities are presuming to change the most fundamental institution of civilization"; and

Whereas, the efforts of nineteen states to protect traditional marriage by way of a constitutional amendment defining marriage as the union between one man and one woman are a clear sign to the rest of the country and to the United States Congress that the citizens of these states are in support of the traditional definition of marriage; and

Whereas, an amendment to the Constitution of the United States is the most democratic manner by which to curb the power of judges whose agenda affronts the beliefs of the Founding Fathers of this nation and the will of the American people; and

Whereas, the United States Senate is scheduled to vote on the Marriage Protection Amendment to the Constitution of the United States during the week of June 5, 2006; and

Whereas, the Marriage Protection Amendment defines marriage in the United States as the union between one man and one woman; Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to approve an amendment to the Constitution of the United States that would define marriage as the union between one man and one woman; and be it further

Resolved, That the Legislature of Louisiana proposes that the legislatures of each of the several states comprising the United States apply to the United States Congress requesting the enactment of an appropriate proposal to amend the Constitution of the United States; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the President of the United States, the secretary of the United States Senate, and the clerk of the United States House of Representatives, each member of the Louisiana delegation to the United States Congress, and the presiding officer of each house of each state legislature in the United States.

POM-403. A joint resolution adopted by the Legislature of the State of Maine relative to establishing satellite voting for displaced victims of Hurricane Katrina; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, 9 months ago Hurricane Katrina unleashed its fury on New Orleans and the Gulf Coast and was one of the cruelest disasters in history; and

Whereas, Hurricane Katrina dispersed and displaced people to over 40 states across the country; and

Whereas, many people are still living in states other than their home states, which will prevent them from being able to participate in elections in their home states; and

Whereas, it is imperative to protect the voting rights of these citizens; Now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request that the President, the Congress of the United States and the United States Department of Justice establish satellite voting places in cities and states where Hurricane Katrina survivors now reside; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the United States Department of Justice and each member of the Maine Congressional Delegation.

POM-404. A resolution adopted by the City of Pembroke Pines, Florida relative to supporting no less than \$4.3 billion in Congressional funding for fiscal year 2007 for the Community Development Block Grant Program (CDBG); to the Committee on Banking, Housing, and Urban Affairs.

POM-405. A resolution adopted by the Miami-Dade County Board of County Commissioners, Miami-Dade County, Florida relative to creating the Community Workforce Housing Innovation Program; to the Committee on Banking, Housing, and Urban Affairs.

POM-406. A resolution adopted by Mendham Borough Council, Morris County, New Jersey, relative to opposing the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign proposals; to the Committee on Commerce, Science, and Transportation.

POM-407. A resolution adopted by the Miami-Dade County Board of County Commissioners, Miami-Dade County, Florida relative to waste tire fees; to the Committee on Environment and Public Works.

POM-408. A resolution adopted by the Town Board of the Town of Blooming Grove, Orange County, New York, relative to the Chinese Communist Party's persecution of Falun Gong; to the Committee on Foreign Relations.

POM-409. A resolution passed by the City of San Jose Human Rights Commission, San Jose, California, relative to urging Congress to approve humane immigration reform; to the Committee on the Judiciary.

POM-410. A resolution adopted by the City Commission of the City of Lauderdale Lakes of the State of Florida relative to congratulating the City of Sunrise for joining the City of Lauderdale Lakes in recommending that Congress support the Voting Rights Act of 1965; to the Committee on the Judiciary.

POM-411. A resolution adopted by the California Veterans Board, State of California relative to opposing certain provisions of H.R. 4297, the "Tax Relief Extension Reconciliation Act of 2005"; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. HUTCHISON, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 5385. A bill making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. No. 109-286).

By Mr. SPECTER, from the Committee on Appropriations, without amendment:

S. 3708. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. No. 109-287).

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment:

S. 3709. An original bill to exempt from certain requirements of the Atomic Energy Act of 1954 United States exports of nuclear materials, equipment, and technology to India, and to implement the United States Additional Protocol (Rept. No. 109-288).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WARNER for the Committee on Armed Services.

Sue C. Payton, of Virginia, to be an Assistant Secretary of the Air Force.

Charles E. McQueary, of North Carolina, to be Director of Operational Test and Evaluation, Department of Defense.

Air Force nominations beginning with Colonel Gregory A. Biscone and ending with Colonel Tod D. Wolters, which nominations were received by the Senate and appeared in the Congressional Record on June 14, 2006.

Army nomination of Maj. Gen. N. Ross Thompson III to be Lieutenant General.

Army nomination of Maj. Gen. Thomas R. Turner II to be Lieutenant General.

Army nomination of Maj. Gen. Douglas E. Lute to be Lieutenant General.

Army nomination of Brig. Gen. Charles H. Davidson IV to be Major General.

Army nominations beginning with Brigadier General Steven R. Abt and ending with Colonel Jonathan Woodson, which nominations were received by the Senate and appeared in the Congressional Record on June 29, 2006.

Army nomination of Lt. Gen. Stanley A. McChrystal to be Lieutenant General.

Army nomination of Brig. Gen. Jimmy G. Welch to be Major General.

Marine Corps nomination of Maj. Gen. Richard F. Natonski to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Keith J. Stalder to be Lieutenant General.

Marine Corps nomination of Lt. Gen. James F. Amos to be Lieutenant General.

Marine Corps nomination of Lt. Gen. John F. Sattler to be Lieutenant General.

Marine Corps nomination of Col. Charles M. Gurganus to be Brigadier General.

Navy nomination of Rear Adm. (lh) David J. Dorsett to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Richard E. Cellon and ending with Rear Adm. (lh) Wayne G. Shear, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2006.

Navy nomination of Rear Adm. (lh) Michael C. Bachmann to be Rear Admiral.

Navy nominations beginning with Capt. Mark A. Handley and ending with Capt. Christopher J. Mossey, which nominations were received by the Senate and appeared in the Congressional Record on April 24, 2006.

Navy nomination of Capt. Thomas P. Meek to be Rear Admiral (lower half).

Navy nomination of Rear Adm. William D. Sullivan to be Vice Admiral.

Navy nomination of Rear Adm. William D. Crowder to be Vice Admiral.

Navy nomination of Vice Adm. Albert M. Calland III to be Vice Admiral.

Navy nomination of Rear Adm. David J. Venlet to be Vice Admiral.

Navy nomination of Vice Adm. Jonathan W. Greenert to be Vice Admiral.

Mr. WARNER. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Julio Ocampo to be Major.

Air Force nomination of John L. Putnam to be Colonel.

Air Force nominations beginning with John D. Adams and ending with Diane Huey, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

Air Force nominations beginning with John D. Adams and ending with Karl Woodmansey, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

Air Force nominations beginning with Mark D. Campbell and ending with Gary J. Ziccardi, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

Air Force nominations beginning with Michael J. Apol and ending with Dawn M.K. Zoldi, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2006.

Army nominations beginning with David W. Acuff and ending with Michael E. Yarman, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2006.

Army nomination of Barry L. Williams to be Colonel.

Army nominations beginning with Gerald P. Coleman and ending with David E. Root, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2006.

Army nominations beginning with Robert T. Davies and ending with Curtis E. Wells, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2006.

Army nominations beginning with Michelle A. Cooper and ending with David W. Towle, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2006.

Army nominations beginning with Rickie A. Mcpeake and ending with Eugene J. Palka, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2006.

Army nomination of Paul A. Carter to be Major.

Army nomination of Maritza S. Ryan to be Colonel.

Army nominations beginning with Armando Aguilera, Jr. and ending with Michael S. Wall, which nominations were received by the Senate and appeared in the Congressional Record on June 29, 2006.

Army nominations beginning with Brian E. Abell and ending with Cutter M. Zamboni, which nominations were received by the Senate and appeared in the Congressional Record on June 29, 2006.